

Development Management Sub-Committee Report

Wednesday 2 October 2024

**Application for Listed Building Consent
13 Chamberlain Road, Edinburgh, EH10 4DJ**

Proposal: The proposal seeks to introduce a contemporary roof extension to the existing side extension.

**Item – Committee Decision
Application Number – 24/02868/LBC
Ward – B10 - Morningside**

Reasons for Referral to Committee

The application has been referred for determination by the Development Management Sub-committee as more than 20 signatures of support within a properly headed petition raising material planning considerations have been received and the recommendation is to refuse.

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The proposals will result in harm to the listing building and they are not acceptable with regard to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposals conflict with the objective of preserving or enhancing the character or appearance of the conservation area and they are not acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no compelling reasons for approving the proposals.

SECTION A – Application Background

Site Description

The application site is a ground floor residential flat, within a two storey, subdivided villa. The building is Category C listed (LB26972, 30.3.1993). The site is located within the Merchiston and Greenhill Conservation Area.

Description of the Proposals

Planning permission is sought for extensions to the rear and roof of an existing single-storey side elevation addition.

Each are to be finished in grey / brown metal. The upper addition proposes a 'folded' roof with feature square and full height windows to the front and rear, respectively. It will accommodate two bedrooms. The rear 'box' style addition proposes sliding glazed doors leading to one of two timber decking areas. It will accommodate an extension to a 'flexible room / office space'. Internal works are confined to the existing single-storey side elevation addition and are comprised of the conversion of a store into a proposed en-suite and the formation of stairs within an existing en-suite.

Supporting Information

A Design and Access Statement, and visualisations.

Letter of support from the occupier of 13A Chamberlain Road (upper floor).

Relevant Site History

24/02867/FUL

13 Chamberlain Road

Edinburgh

EH10 4DJ

The proposal seeks to introduce a contemporary roof extension to the existing side extension.

23/07116/FUL

13 Chamberlain Road

Edinburgh

EH10 4DJ

Introduce additional storey to existing side extension.

withdrawn

30 January 2024

23/07117/LBC

13 Chamberlain Road

Bruntsfield

Edinburgh

EH10 4DJ

Introduce additional storey to existing side extension.

withdrawn

30 January 2024

08/00144/FUL

13 Chamberlain Road

Edinburgh

EH10 4DJ

Alterations to existing dwelling (partially in retrospect and as amended)

Granted

29 February 2008

08/00144/LBC
13 Chamberlain Road
Edinburgh
EH10 4DJ
Alterations to existing dwelling (partly in retrospect and as amended)
Granted
10 March 2008

Other Relevant Site History

24/01446/LBC
13A Chamberlain Road
Edinburgh
EH10 4DJ
Removal and infill of redundant gable window to bathroom. Velux installed to bathroom as per approval 23/05871/LBC.
Granted
27 May 2024

24/01193/FUL
11 Chamberlain Road
Edinburgh
EH10 4DJ
Side extension
Refused
20 May 2024

23/05871/LBC
13A Chamberlain Road
Edinburgh
EH10 4DJ
Install Velux roof lights.
Granted
5 December 2023

20/01547/LBC
13A Chamberlain Road
Edinburgh
EH10 4DJ
Convert existing loft space to two bedrooms and bathroom with associated internal alterations to form new stair and relocate existing kitchen (as amended)
Granted
11 June 2020

08/02320/FUL
11A Chamberlain Road
Edinburgh
EH10 4DJ
Extend house - 2 storey extension to side.
Refused
4 August 2008

Pre-Application process

There is no pre-application process history.

Consultation Engagement

No consultations undertaken.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 28 June 2024

Site Notices Date(s): 25 June 2024

Number of Contributors: 3

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Having due regard to Historic Environment Scotland (HES) Policy and guidance, do the proposals:
 - a) harm a listed building or its setting? or
 - b) conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm listed buildings or their settings

The relevant Managing Change documents in the HES Guidance are Extensions and Setting.

The addition to the roof would comprise an irregular design and window pattern. By virtue of its form and position, the proposal would diminish rather than compliment the character and special interest of the villa. The design, siting and resulting two-storey scale would weaken the historic status of the villa and detract from its well-proportioned and largely unaltered principal elevation. It would constitute an unsympathetic and incongruous addition. The rear additions, including decking, raise no concerns as they are confined to the existing extension and in a less prominent location.

Conclusion in relation to listed buildings and their settings.

The proposals will result in harm to the listing building and they are not acceptable with regard to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area

The Merchiston and Greenhill Conservation Area Character Appraisal (MGCACA) emphasises the consistent domestic grain, scale and mass and the high-quality stone-built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas. It considers that the new developments should take into account the spatial pattern, scale, proportions, and design of traditional properties and protect the setting of individual buildings and the historic environment as a whole.

The existing extension pre-dates the publication of the MGCACA as well as the 30 March 1993 listing of 13A and 13B Chamberlain Road. Although it does not make a particularly positive contribution to the streetscape, the addition of an upper floor would emphasise its prominence and result in a further erosion of the spatial characteristics of the conservation area by reducing the visual and physical seclusion of the villa. Of relevance are planning applications 08/02320/FUL and 24/01193/FUL which have previously sought the addition of 2-storey additions to either side of 11 Chamberlain Road. Both were refused in part for similar reasons with those being the reduction in visual and physical seclusion between the villas. The rear additions, including decking, raise no material conservation area concerns and nor does the continuation of a residential use.

Conclusion in relation to the conservation area

The proposals conflict with the objective of preserving or enhancing the character or appearance of the conservation area and are not acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Are there any compelling reasons for approving the proposals

The following matters have been identified for further consideration.

Public comments

25 signatures of support within a properly headed petition raising material planning considerations and one representation in objection were received. These numbers include the removal of an objection as requested. The letter of support which states it is from the current occupier of 13A Chamberlain Road was not submitted as a representation. Matters raised have been summarised below and addressed where material within Section a) and b).

Material considerations in support

- Design is acceptable.
- Character and setting of the listed building will be preserved; and
- Character and appearance of the conservation area will be preserved.

Non-material considerations in support

- Lack of impact on neighbouring amenity; and
- Provision of additional accommodation.

Material considerations in objection

- Design is not acceptable.
- Character and setting of the listed building will not be preserved; and
- Character and appearance of the conservation area will not be preserved.

Non-material considerations in objection

- Impact on neighbouring amenity; and
- Allegedly erroneous land ownership certificate.

Conclusion in relation to the identified matters

None of the identified matters constitute compelling reasons for approving the proposals.

d) Overall conclusion

The proposals will result in harm to the listing building and they are not acceptable with regard to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposals conflict with the objective of preserving or enhancing the character or appearance of the conservation area and they are not acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal:-

1. The proposals are not acceptable with regard to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they will result in harm to the listing building.
2. The proposals are not acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they conflict with the objective of preserving or enhancing the character or appearance of the conservation area.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 17 June 2024

Drawing Numbers/Scheme

01-07

Scheme 1

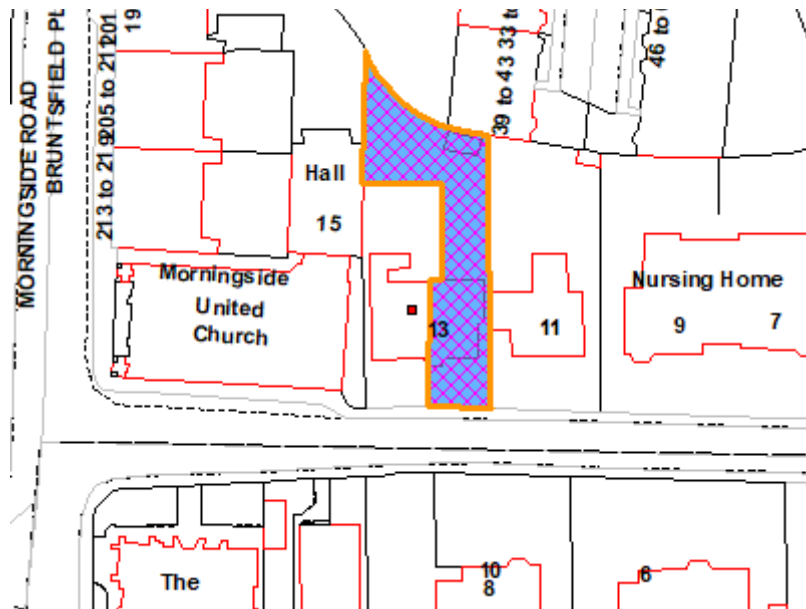
David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Graham Fraser, Assistant Planning Officer
E-mail: graham.fraser@edinburgh.gov.uk

Summary of Consultation Responses

No consultations undertaken.

Location Plan



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